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UTILITY

PATENT APPLICATION

TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	88265-6778	Total Pages	14
First Named Inventor or Application Identifier			
Robert PETERMANN			
Express Mail Label No.	EV 074 516 202 US		

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g. PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status
See 37 CFR 1.27.
- ☒ Specification Total Pages 12
(preferred arrangement set forth below)
-Descriptive title of the Invention
-Cross Reference to Related Applications
-Statement Regarding Fed Sponsored R&D
-Reference to Sequence Listing, a table, or a computer program listing appendix
-Background of the Invention
-Brief Summary of the Invention
-Brief Description of the Drawings (if filed)
-Detailed Description
-Claim(s)
-Abstract of the Disclosure
- ☐ Drawing(s) (35 U.S.C. 113) Total Sheets
☒ Oath or Declaration (unexecuted) Total Pages 2
- ☐ Newly executed (original or copy)
- ☐ Copy from prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.70

- Approved for use through 10/31/2001. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
- Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231
- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
 - Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD ROM or CD-R (2 copies); or
 - ☐ Paper
 - ☐ Statements verifying identity of above copies.

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☒ Information Disclosure Statement (IDS)/PTO-1449
☒ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Certified copy of Priority Document(s)
(if foreign priority is claimed)
- ☐ Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
- ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part of prior international application no. PCT/EP00/07121, filed July 24, 2000

Prior Application Information: Examiner: _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code

CUSTOMER NO. 28765

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	

Name (Print/Type)	For Allan A. Fanucci	Registration No.: 30,256
Signature	<i>Allan A. Fanucci</i>	Date February 22, 2002

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212-294-6700

ATTORNEY DOCKET NO.: 88265-6778

Assistant Commissioner for Patents
Box PATENT APPLICATION
 Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Robert PETERMANN, Christian DUPAS, Alfred MESSERLI

Title of the Invention: **FERMENTED MILK PRODUCT AND PROCESS****PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	20	-20	0	18.00	\$.00
Independent	2	-3	0	84.00	\$ 0.00
Minimum Fee					\$ 740.00
Multiple Dependency Fee If Applicable (\$280.00)					\$
Total					\$ 740.00
50% Reduction for independent inventor, nonprofit organization or small business concern (verified statement as to the applicant's status is attached)					-\$
TOTAL FILING FEE					\$ 740.00

- ☐ **DO NOT PUBLISH.** I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 112(b).
- ☒ Priority of application no Application PCT/EP00/05945, filed June 26, 2000 is claimed under 35 U.S.C. § 119.
- ☒ Please charge the required fee to Winston & Strawn Deposit Account No. 501-814. A copy of this sheet is attached.

Respectfully submitted,

Date

2/22/02



Allan A. Fanucci, Reg. No. 30,256

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